

LEGISLATURE OF NEBRASKA  
NINETY-EIGHTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1071**  
FINAL READING

Introduced by Wehrbein, 2

Read first time January 14, 2004

Committee: Appropriations

A BILL

1 FOR AN ACT relating to the Coordinating Commission for  
2 Postsecondary Education; to amend section 85-1415,  
3 Reissue Revised Statutes of Nebraska; to provide for  
4 review by the commission of certain capital construction  
5 projects proposed by nonprofit corporations as  
6 prescribed; to harmonize provisions; to delete obsolete  
7 provisions; and to repeal the original section.  
8 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 85-1415, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   85-1415. (1) Consistent with the authority granted to  
4 the Legislature pursuant to Article XIII, section 1, of the  
5 Constitution of Nebraska, the commission shall review all capital  
6 construction projects proposed by the Board of Regents of the  
7 University of Nebraska and the Board of Trustees of the Nebraska  
8 State Colleges pursuant to sections 85-404 and 85-408 and by any  
9 nonprofit corporation created by the Board of Regents of the  
10 University of Nebraska or the Board of Trustees of the Nebraska  
11 State Colleges when (a) state general funds, (b) funds received by  
12 the University of Nebraska or any state college for the purposes of  
13 reimbursing overhead costs and expenses in connection with any  
14 federal or other grant or contract, (c) tuition, or (d) the state's  
15 operating investment pool investment income constitute all or any  
16 part of the funds used for the repayment of all or any part of the  
17 bonds of such nonprofit corporation. Such boards shall submit all  
18 such projects, including applicable financing plans, to the  
19 commission for review.

20                   (2) Within sixty days from the date of submission of a  
21 proposed project, the commission shall take action by recommending  
22 that the Legislature or the Executive Board of the Legislative  
23 Council either approve or disapprove the project. Following such  
24 action by the commission, each such proposed project together with  
25 the commission's recommendation of approval or disapproval shall be  
26 submitted by the board concerned to the Legislature or, as  
27 applicable under sections 85-404 and 85-408, to the Executive Board  
28 of the Legislative Council. The Legislature or, as applicable

1 ~~under sections 85-404 and 85-408~~ if the Legislature is not in  
2 session, the Executive Board of the Legislative Council shall  
3 thereafter take action to approve or disapprove the proposed  
4 project. All projects authorized prior to January 1, 1992, shall  
5 be deemed approved.

6 Sec. 2. Original section 85-1415, Reissue Revised  
7 Statutes of Nebraska, is repealed.